

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, SEPTEMBER 24, 2007

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Fisher, Spraul-Schmidt, Wallace, Chatterjee, Kreider, Raser and Young present. Absent: Senhauser

MINUTES

The Historic Conservation Board unanimously approved the minutes of the July 23, 2007 meeting (motion by Young, second by Chatterjee) and the June 18 and July 9, 2007 meetings as amended (motion by Chatterjee, second by Young).

CERTIFICATES OF APPROPRIATENESS CONDITIONAL USE & ZONING VARIANCES, 130 E. LIBERTY, 1604 MAIN AND 1609 HUGHES STREETS, OVER-THE-RHINE HISTORIC DISTRICTS, SIGN/MURALS

Staff member Caroline Kellam presented a report on the construction of three separate parking lots proposed to serve the rehabilitation of five commercial/residential buildings at Main and Liberty Streets. She reminded the Board that it had previously approved the rehabilitation project in January 2003 and with it the Main Street parking lot. Likewise, the Board had approved the demolition of 128 E. Liberty on December 2005 to accommodate the proposed lot.

Ms. Kellam explained that the three lots would be treated similarly. Each would be surrounded by a six foot-high metal picket fence and all would require conditional use approval for use as a parking lot. 1609 Hughes Street would also require a zoning variance to allow the six-foot fence in a residential zone. In addition, 1604 Main would need a zoning variance since it fails to provide the landscape buffer required under the Zoning Code. Ms. Kellam said the lots would be open during the day to provide parking for the retail tenants in the project and closed in the evening as private parking for its residents.

Ms. Kellam said that the Main and Hughes lots were not highly visible, but that the lot on Liberty Street was highly visible. She suggested that the six-foot fence along Liberty Street be modified to be a four-foot picket atop a two-foot masonry base, to provide a stronger street edge and better screen a lot with minimal landscaping at the street.

MR. KREIDER JOINED THE MEETING

Mr. Forwood said a conditional use would be required to allow a parking lot on a separate parcel. Since the number of new residential units is fewer than pre-existed the renovation, no covenant is required under the Zoning Code. The covenant tying the lots to the residential/retail project is required under the historic district guidelines.

Allen Messar, project engineer was present to answer questions from the Board. Julie Fay and Debbie Mays, representing the Merchants on Main Street and the Over-the-Rhine Community Council respectively, stated that the effect of all the aluminum fencing was excessive. They concurred with the staff recommendation to modify the Liberty Street fence. Mr. Messar agreed to the modification.

Mr. Messar indicated that the developers of the Liberty and Main project had purchased 122 E. Liberty Street, the open lot abutting 128 E. Liberty to the west. He presented an alternate plan for 128 E. Liberty that provided an additional four spaces by double loading the lot. Landscape buffering would be provided on 122 E. Liberty.

Mr. Kreider suggested that if landscaping could be provided on 122 E. Liberty to buffer the west side of the parking lot at 128 E. Liberty, he could find no justification to granting a variance to eliminate the required buffer. Mr. Forwood questioned whether such a scheme might still require the landscaping variance. There was also some question whether variances would be required for the dimensions of some of the new spaces. Mr. Kreider questioned the effect of the revised design on a storm drainage pipe crossing 122 E. Liberty.

Mr. Messar requested that the Board act on the Main and Hughes Street lots and that he be allowed to return at a later date with revisions to the Liberty Street lot once design and zoning issues were resolved.

BOARD ACTION

The Board voted unanimously (motion by Raser, second by Fisher) to take the following action:

1. Approve a Certificate of Appropriateness for the construction of parking lots at 1604 Main and 1609 Hughes Streets as proposed.
2. Approve a conditional use under Section 1409-7 Land Use of the Zoning Code to permit a surface parking lot and a variance from Section 1425-29 Parking Lot Landscaping to allow for no landscaping around the perimeter of a parking lot at 1604 Main and

Approve a conditional use under Section 1409-7 Land Use to permit a surface parking and a variance from Section 1405-1421 Fences and Walls (b) Maximum Height to permit a 6' high fence at 1609 Hughes Street

On the condition that a covenant restricting the use of the parking lots at 1604 Main and 1609 Hughes Streets to the owners, occupants and customers of 1600-1606 and 1601-1605 Main Street be prepared and filed with the building permit application.

Finding that such relief from the literal implication of the Zoning Code is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district and would not be materially detrimental to the public health, safety and welfare or injurious to the property in the district or vicinity where the property is located.

3. Table consideration of a Certificate of Appropriateness, conditional use and zoning variances to permit a surface parking lot at 130 E. Liberty Street in order to give the applicant an opportunity to modify its design in light of discussion and recommendations of the Board and to clarify the zoning issues raised with the alternate design.

CERTIFICATE OF APPROPRIATENESS, HILLSIDE REVIEW & SPECIAL EXCEPTION, 426 MILTON STREET, PROSPECT HILL HISTORIC DISTRICT

Ms. Kellam presented a staff report on the application for a Certificate of Appropriateness and a Special Exception from the Zoning Code to construct a parking pad at 426 Milton Street. She explained that because 426 Milton is a through lot, it has two street fronts and therefore two front yards. The Zoning Code prohibits parking in a front yard. The project meets the district guidelines.

The applicant Christiane Boehr was present to answer questions from the Board.

BOARD ACTION

The Board voted unanimously (motion by Young, second by Kreider) to take the following actions:

1. Approve a Special Exception from Section 1425-15 Location of Parking in RM-1.2 to allow a surface parking pad at 426 Milton Street, finding that such relief from the literal implication of the Cincinnati Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to property in the district or vicinity where the work is located and is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district.
2. Approve a Certificate of Appropriateness for the installation of the brick patio/parking pad and the black iron fence at the rear of 426 Milton Street along Boal Street.

**CERTIFICATE OF APPROPRIATENESS, DD REVIEW & SPECIAL EXCEPTION, 121
W. 4th STREET, WEST FOURTH STREET HISTORIC DISTRICT**

Staff member Adrienne Cowden presented a report on the installation of a new storefront at 121 W. 4th Street. She reminded the Board that it had conducted a preliminary design review on this project on July 9, 2007. Ms. Cowden said the design had changed substantially since that preliminary review. The design still incorporated a recessed, glazed entry on the left (west) side of the storefront opening, but the Nana wall system initially proposed had been replaced with a series of openings 3' above grade. The lower half of the transom would be frosted glass.

The two bays to the left (east) would be fitted with French doors with wrought iron balcony railings; a third bay between them and the entry would be of fixed glass. Staff was concerned that the storefront design failed to reflect the symmetry of the building as a whole and did not relate to the oriel window above as advised by the Board in its preliminary review. Ms. Cowden recommended that the fixed bay be detailed as the French doors and fitted with a matching railing to present a more uniform façade.

Ms. Cowden indicated that the revised design failed to provide the minimum 60% ground floor transparency required in the Commercial Continuity Overlay area of the Downtown Development zoning district. A special exception to the Zoning Code would be required.

Project architect Mark Gunther objected to staff's recommendation regarding the fixed bay. He argued that such a treatment would seem out-of-place from the interior and that the horizontal glazing bar he proposed was sufficient. He said the change was artificial and counter to good intuitive design. Mr. Young responded that in the recent rehabilitation of the McAlpin Building, all the upper floor openings (whether doors or windows, fixed or operable) had been fitted with railings to create a visually consistent façade. The Board discussed various options for the storefront including the removal of all the metal railings.

Mr. Raser said he found the design as proposed acceptable and made a motion to remove that condition from the approval (second by Kreider). The motion failed, two to four.

BOARD ACTION

The Board voted unanimously (motion by Chatterjee, second by Kreider) to take the following action:

1. Approve a Certificate of Appropriateness for the proposed storefront with the following conditions:
 - a. The entire storefront, including, but not limited to the transoms, shall have clear, non-reflective glass.

- b. The window bay adjacent to the entrance shall be detailed to match the French doors and the railing shall be continued across the front of this opening.
 - c. The final plans and specifications shall be submitted to the Urban Conservator for review and approval prior to installation.
2. Approve a Special Exception from Chapter 1411. Downtown Development Districts, § 1411-21 to permit the proposed storefront to have less than 60% transparency finding that such relief from the literal implication of the Zoning Code is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of 121 W. 4th Street and the West Fourth Street Historic District.

CERTIFICATE OF APPROPRIATENESS, DD REVIEW & ZONING VARIANCES, 200 W. 4th STREET, WEST FOURTH STREET HISTORIC DISTRICT

Ms. Cowden presented a report on an application by the Greater Cincinnati Foundation to install a projecting sign on 200 W. 4th Street, at the corner of West 4th and Elm Streets. She indicated that the proposed design exceeded the height of a projecting sign allowed under the Zoning Code in the Downtown Development District, so a variance would be required. She indicated that the metal bracket supporting the sign would be anchored into the terra cotta face of the building at the second floor, but that the exact method of attachment had not yet been determined.

Ms. Spraul-Schmidt commented that the metal bracket appeared heavy and busy. She asked whether a bracket with fewer or thinner arms could support the sign. Kim Moscarino with ASI-Modulex the sign designer responded that the bracket had been designed to be in scale with the large building to which it would be attached. She said the greater the surface area of the bracket, the more effective the epoxy mounting. She said the bracket would be painted black as other signs on the street.

Mr. Chatterjee said that the black bracket distracted from the sign, that its visual weight competed with the sign and made it less prominent and readable. He suggested the bracket be painted a less contrasting color. Ms. Moscarino responded that the effect was in part the result of the graphic reproduction and that the bracket would not be so overpowering when installed. She said that the US Bank sign on the opposite corner was 5' by 8' and that the sidewalk was 14' wide at the corner.

BOARD ACTION

The Board voted unanimously (motion by Wallace, second by Chatterjee) to take the following action:

1. Approve a Certificate of Appropriateness for the proposed projecting sign finding that it meets the West Fourth Street Historic District conservation guidelines with the condition that final plans and specifications (including but not limited to the anchoring system) shall be submitted to the Urban Conservator for review and approval prior to fabrication and installation.
2. Approve a zoning variance from Section 1427-27(j) Sign Regulations Section and Chapter 1411-39 (b) (2) Downtown Development Districts Section to permit (as specifically outlined in the staff report and attached documents):
 - a. The projecting sign to extend 9'-8" (as measured from the building face of 200 W 4th Street to the end of the supporting structure) over the sidewalk.
 - b. The proposed sign faces to measure 8'-0" wide and 3'-6" tall.

Finding that such relief from the literal implication of the Zoning Code will not be materially detrimental to the public health, safety and welfare or injurious to the property in the district or

vicinity where the property is located and is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district.

**PRELIMINARY DESIGN REVIEW, CORPORATION ALLEY (432-434 LIBERTY HILL)
PROSPECT HILL HISTORIC DISTRICT**

Ms. Cowden presented a report on a proposal to build a new single-family residence at the rear of 432-434 Liberty Hill Street facing Corporation Alley. She reminded the Board that on April 23, 2007, it had approved a Certificate of Appropriateness and the required zoning variances for the construction of a two-family dwelling on the lower portion of this lot, facing Liberty Hill Street. The owner now plans to subdivide the property and as a first phase build a residence for himself on Corporation Alley; the two-family would be in a second phase.

Ms. Cowden described the project as a small, two-story residence with a shallow shed roof. It would be built on concrete piers and sheathed in Hardie board siding. She indicated that zoning variances would likely be required in the Hillside District. She said that historic maps show houses of similar size and materials once stood along Corporation Alley.

Owner/architect Richard Butz was present to answer questions from the Board. In answer to Mr. Kreider, Mr. Butz acknowledged that it was not typical for district buildings to stand on exposed concrete piers, but that he was considering a screen or planting to enclose the base. Mr. Chatterjee questioned the diamond window on the front façade. Mr. Butz responded that the form could be found elsewhere in the neighborhood and had been chosen to relate to the second floor windows above. He added that he was working on a scheme to re-space the upper floor windows in order to reduce the size of the trim.

Mr. Raser said that although the second floor fenestration was symmetrical across the front façade, the first floor seemed out of balance. He indicated that the carport void on the east and solid wall to the west were out of balance and needed relief. Mr. Kreider suggested the blind wall might back a trellis or other greenery. Ms. Spraul-Schmidt observed that in general, there was a large amount of unrelieved wall area.

The Board generally agreed that the house was properly scaled to relate to its neighbors and was appropriate for the site. Mr. Butz said that since he was designing the house for his own use, he was considering changes to the two-family to enhance his view.

BOARD ACTION

Because this was a preliminary design review, no Board action was required.

ADJOURN

As there were no other items for consideration by the Board, the meeting adjourned.

William L. Forwood
Urban Conservator

John C. Senhauser, Chairman

Date: _____